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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SPOKANE DIVISION

**NORTH CASCADES CONSERVATION
COUNCIL,**

Plaintiff,

v.

UNITED STATES FOREST SERVICE, a
federal agency of the United States Department of
Agriculture, and **KRISTIN BAIL**, in her official
capacity as Forest Supervisor, Okanogan-
Wenatchee National Forest, United States Forest
Service,

Defendants.

Case No. 2:22-cv-00293

**DECLARATION OF MICHAEL
SHAFFER IN SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

I, Michael Shaffer, declare as follows:

1. I am a member of Plaintiff North Cascades Conservation Council ("NCCC").
2. My permanent residence sits on land in the Poorman Creek Canyon, which abuts on two sides the land in the Okanogan-Wenatchee National Forest proposed for logging in the Twisp Restoration Project (TRP).
3. I was raised on this property from birth, and I have lived here all my life since my parents purchased the property in 1970. I have explored and found solace in the national forest

land surrounding our property, and I consider it a part of the legacy of our family land, as it is interconnected with its fish and wildlife habitats, biodiversity, and watershed values including clean water that I use for gardening and personal consumption.

4. I work seasonally on a fire crew that contracts with the Forest Service to fight wildfires, so I am familiar with fire behavior and the impacts of forest fires.

5. I regularly visit the TRP project area by mountain biking, hiking, and flying in a paraglider over the project area.

6. I, for myself and on behalf of my neighbors, submitted comments in response to the Forest Service's scoping and draft EA comment periods, and I filed an objection to the TRP through the US Forest Service administrative review process.

7. The TRP involves road construction and heavy logging operations that will alter the ecological and watershed values and aesthetic quality of the land surrounding my land. The impacts of ground-disturbing machinery for log skidding in the immediate vicinity of Poorman Creek has the potential to degrade water quality, which could have a direct impact on my health.

8. The TRP represents a serious threat to the aesthetic quality of the public land adjoining my property, as it will leave stumps, logging slash piles, tractor ruts from log skidding, and road incursions over an area that currently exists in its natural state.

9. I will be adversely impacted by the log truck traffic that will occur during the TRP logging operations, which will occur on a steep, narrow road that is presently posted as closed to vehicles with trailers, and represents a safety hazard as trucks coming down the steep grade introduce an unusual traffic variable that I and my neighbors are not used to and will have to contend with.

10. I am aware of the danger to my property from wildfires, and I do wish to protect my land and my house. However, having reviewed scientific studies that indicate the actions proposed in the TRP will not likely protect my property from wildfire danger, and in fact may increase it, I am opposed to the project as written in the Environmental Assessment.

11. I am aware that the TRP includes provisions for “Designation by Description,” whereby the logging contractor selects the trees to be removed, not resource professionals, and “Condition-Based Management,” which allows the Forest Service to change the logging prescription after the decision for the project was signed. This makes it impossible for me to know what is actually going to occur in the project, and how it will impact my land and my interests.

12. I am supportive of an open public process that will revisit options for managing the forest and wildfires in the TRP project area.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and subject to penalty for perjury.

DATED this 7th day of July, 2023.

By: _____
Michael Shaffer

CERTIFICATE OF SERVICE

I certify that on July 7, 2023, I served or caused to be served a true and complete copy of the foregoing **DECLARATION OF MICHAEL SHAFFER** on the party or parties listed below as follows:


- ☒ Via CM / ECF Filing
- ☐ Via First Class Mail, Postage Prepaid
- ☐ Via Email
- ☐ Via Personal Delivery

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